

Notice of Allowability

Application No.

10/696,224

Examiner

Hargobind S. Sawhney

Applicant(s)

HENRY, JAMISON M.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 9/15/2005.
2. ☒ The allowed claim(s) is/are 1,2,4 and 7-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 9/15/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/16/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. The response to the office action filed on September 15, 2005 has been filed.

Accordingly:

- The statement of the common ownership of the instant application and the prior art U.S. Patent Application Publication 2004/0240226 A1 for Gross et al. has been noted and filed. Thus, the prior art U.S. Patent Application Publication 2004/0240226 A1 for Gross et al. has been considered not qualified for the rejections of claims under 35 U.S.C. 103(a).
- Corrected Information Disclosure Statement (IDS) filed on September 15, 2005 has been filed.

2. Section 3 of the non-final office action mailed on June 15, 2005 includes an erroneous statement, which needs to be corrected as follow:

“Claims 1-7 and 11-19 are rejected under 35 U.S.C. 103(a)” needs to be read as – Claims 1-17 are rejected under 35 U.S.C. 103(a)--.

The bases supporting the claim rejections and the prior arts applied remain unchanged and valid.

3. On November 16, 2005, the examiner and the attorney, Mr. Alexander D. Forman, had a telephone conversation, wherein the original calims 1-19 were discussed. The examiner indicated that the independent method calim 1 is broad, and the prior arts meet the limitations, however, merging of dependent method claims 3 and 5 into Claim 1 would make the independent method claim 1 allowable.

The examiner further informed Mr. Forman that each of independent method claim 8 and independent apparatus claims 11 includes allowable subject matter.

On November 17, 2005, Mr. Forman authorized an Examiner's amendment requiring amendments of the claims as detailed in section 3 of this office action.

A copy of the interview summary is attached herewith.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Alexander D. Forman on November 17, 2005.

Claim 1, delete "and" in line 7, and replace "." With --;-- in line 8;

Claim 1, after line 8, insert:

- c. wherein the lens is fixed to the printed circuit board by
first contacting the lens and the printed circuit board such that a plurality of stakes, mounted on the lens, extend through a plurality of associated holes in the circuit board, and then melting the plurality of stakes extending through the plurality of holes; and
- d. wherein the PCB subassembly is fixed to the lamp housing
by first contacting the PCB subassembly and the lamp housing

such that a plurality of stakes, mounted on the housing, extend through a plurality of associated holes in the circuit board, and then melting the plurality of stakes extending through the plurality of holes.

Claim 4, line 1, replace "3" with --1--; and

Cancel claims 3, 5 and 6 claims.

Allowable Subject Matter

5. Claims 1, 2, 4 and 7-19 are allowed.

The prior art of record, including Colip et al. (6,964,949 B2), Stopa et al. (US Patent No.: 6,641,284 B2) and Bodem, Jr. (US Patent No.: 5,388,035), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose an automotive lamp combining:

- Fixing a printed circuit board with a lens by a plurality of heat stakes, mounted on the lens, extending through a plurality of holes in the circuit board as recited in Claim 1;
- Fixing the PCB subassembly with the lamp housing by a plurality of heat stakes, mounted on the housing, extending through a plurality of holes in the PCB subassembly as recited in Claim 1;
- Fixing a printed circuit board with an elongated inner lens by a first plurality of heat stakes, mounted on the elongated inner lens, extending through a first plurality of holes in the circuit board as recited in Claim 8;

- Fixing the PCB subassembly with the lamp housing by inserting a second plurality of heat stakes, mounted on the lamp housing, extending through a second plurality of holes in elongated inner lens as recited in Claim 8; and
- A first plurality of stakes extending exclusively between the printed circuit board and the inner lens; and a second plurality of stakes extending between the inner lens and the lamp housing as recited in Claim 11.

The above-indicated automotive lamp combination, including a typical method steps for attaching the inner lens to the PCB with a set of heat stakes, and attaching the PCB sub-assembly to the lamp housing with another set of heat stakes, makes this invention unique.

Neither combined nor individual teaching of Colip et al. (6,964,949 B2), Stopa et al. (US Patent No.: 6,641,284 B2) and Bodem, Jr. (US Patent No.: 5,388,035), discloses apparatus elements and method steps detailed above, and as claimed by the applicant.

Additionally, as indicated in section 1 of this office action, U.S. Patent Application Publication 2004/0240226 A1 for Gross et al. has been considered not qualified as a prior art because of its common ownership.

Therefore, each of the independent claims 1, 8 and 11 are allowed over prior art.

Claims 2, 4 and 7 are necessarily allowed because of their dependency on the allowed base Claim 1.

Claims 9 and 10 are necessarily allowed because of their dependency on the allowed base Claim 8.

Claims 12-19 are necessarily allowed because of their dependency on the allowed base Claim 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Rogers (U.S. Patent No. 6,533,445 B1), Huang (U.S. Patent No. 6,149,288) and Machida et al. (U.S. Patent No. 5,062,027)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
11/17/2005


Stephen Husar
Primary Examiner